

**THE URBAN LAW FIRM**

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*Counsel for Plaintiffs*

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COUNSEL/PARTIES OF RECORD	
OCT 15 2015	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE BOARD OF TRUSTEES OF THE  
CONSTRUCTION INDUSTRY AND  
LABORERS HEALTH AND WELFARE  
TRUST; THE BOARD OF TRUSTEES OF THE  
CONSTRUCTION INDUSTRY AND  
LABORERS JOINT PENSION TRUST; THE  
BOARD OF TRUSTEES OF THE  
CONSTRUCTION INDUSTRY AND  
LABORERS VACATION TRUST; THE  
BOARD OF TRUSTEES OF SOUTHERN  
NEVADA LABORERS LOCAL 872  
TRAINING TRUST,

Plaintiff,

vs.

VETERANS SOUTHWEST INDUSTRIES INC.,  
a/k/a VETERANS SOUTHWEST  
MAINTENANCE,

Defendants.

**15MS73**

**CONFESSION AND STIPULATION  
TO ENTRY OF JUDGMENT UNDER  
29 U.S.C. § 1001 et seq. "ERISA"**

Veterans Southwest Industries Inc., a/k/a Veterans Southwest Maintenance ("Employer"), hereby stipulates and consents to entry of judgment in favor of Plaintiffs, The Board of Trustees of the Construction Industry and Laborers Health and Welfare Trust; The Board of Trustees of the Construction Industry and Laborers Joint Pension Trust; The Board of Trustees of the Construction Industry and Laborers Vacation Trust; The Board of Trustees of Southern Nevada Laborers Local 872 Training Trust (collectively "Trust Funds"), against Employer, in the total sum of \$8,754.16 for delinquent employee benefit contributions, liquidated damages, interest, and attorney's fee and costs.

1 The parties have stipulated, and therefore the Court finds:

2 1. Employer is signatory to and bound by the terms of a collective bargaining  
3 agreement ("CBA") with the Laborers International Union of North America, Local 872  
4 ("Union"), in which Employer agreed to abide by the trust agreements establishing the respective  
5 Trust Funds and any amendments thereto ("Trust Agreements").

6 2. Under the CBA and the Trust Agreements, Employer is obligated to pay employee  
7 benefit contributions to the Trust Funds on behalf of Employer's bargaining unit employees  
8 represented by the Union.

9 3. Based on remittance reports prepared and submitted by Employer for the month of  
10 September 2014, Employer owes the Trust Funds delinquent employee benefit contributions and  
11 resulting ancillary costs described in the next paragraph.

12 4. Employer owes the Trust Funds \$8,754.164 in unpaid employee benefit  
13 contributions, past interest, liquidated damages, administrative fees and attorney's fees, for a total  
14 of \$8,754.16.

15 5. Staley Washington, as a representative of the Employer, entered into a settlement  
16 agreement in which he agreed to be liable for payment of the Debt owed by Employer.

17 7. This Stipulated/Consent Judgment is entered into by and between Employer and the  
18 Trust Funds for employee benefit contributions and related interest, liquidated damages,  
19 administrative fees and attorney's fees and costs owed to the Trust Funds by the Employer  
20 pursuant to the Employee Retirement Income Security Act of 1974.

21  
22 Dated: July, 2015

THE URBAN LAW FIRM

23 October 14

24 By: 

Michael A. Urban, Nevada State Bar No. 3875

25 Seth T. Floyd, Nevada State Bar No. 11959

4270 S. Decatur Blvd., Suite A9

26 Las Vegas, NV 89103

Telephone: (702) 968-8087

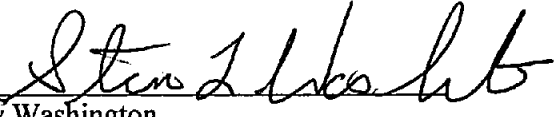
27 Facsimile: (702) 968-8088

28 Counsel for Plaintiffs

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Dated: July , 2015

**VETERANS SOUTHWEST MAINTENANCE**

By:   
Stanley Washington  
*Representative of Defendant*

**JUDGMENT**

Judgment is hereby entered against Veterans Southwest Maintenance and in favor of the Trust Funds in the amount of \$8,754.16.

Dated December 5, 2016.

James C. Mahan  
UNITED STATES DISTRICT JUDGE

STATE OF NEVADA        }  
COUNTY OF CLARK       } ss.

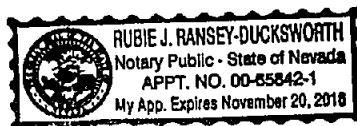
Stanley Washington, being first duly sworn, deposes and says:

That he is the representative of Defendant Veterans Southwest Industries Inc., a/k/a Veterans Southwest Maintenance and is duly authorized to execute this document; that he has read the foregoing Confession and Stipulation to Entry of Judgment under U.S.C. §1001 et seq. of ERISA and knows the contents thereof; that the same is true of his own knowledge, except for those matters therein stated on information and belief, and as to those matters he believes them to be true.

Stanley Washington  
Affiant

Subscribed and sworn to before me  
this 28 day of July, 2015.

Rubie J. Ransey-Duckworth  
NOTARY PUBLIC



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***Counsel for Plaintiffs***

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE BOARD OF TRUSTEES OF THE  
CONSTRUCTION INDUSTRY AND  
LABORERS HEALTH AND WELFARE  
TRUST; THE BOARD OF TRUSTEES OF THE  
CONSTRUCTION INDUSTRY AND  
LABORERS JOINT PENSION TRUST; THE  
BOARD OF TRUSTEES OF THE  
CONSTRUCTION INDUSTRY AND  
LABORERS VACATION TRUST; THE  
BOARD OF TRUSTEES OF SOUTHERN  
NEVADA LABORERS LOCAL 872  
TRAINING TRUST,

Plaintiff,

vs.

VETERANS SOUTHWEST INDUSTRIES INC.,  
a/k/a VETERANS SOUTHWEST  
MAINTENANCE,

Defendants.

CASE NO:

**DECLARATION OF SETH T. FLOYD  
IN SUPPORT OF CONFESSION AND  
STIPULATION TO ENTRY OF  
JUDGMENT UNDER 29 U.S.C. § 1001  
et seq. "ERISA"**

I, Seth T. Floyd, declare and say:

1. I am an Associate with the Urban Law Firm and am licensed to practice law in the United States District Court, District of Nevada. I am counsel of record for Plaintiffs in this action, and I am the attorney responsible for the prosecution of this action.

2. I make this Declaration in support of the Confession and Stipulation to Entry of Judgment in the above-captioned matter.

3. The defendant, Veterans Southwest Industries Inc. ("Veterans"), is signatory to a collective bargaining agreement ("CBA") with the Laborers International Union of North

1 America, Local 872, in which Veterans agreed to abide by the trust agreements establishing the  
2 Trust Funds named as plaintiffs above.

3 4. Based on remittance reports prepared and submitted by Veterans for September  
4 2014, Veterans owes to the Trust Funds delinquent employee benefit contributions and resulting  
5 ancillary costs.

6 5. On July 26, 2015, Veterans entered into a Settlement Agreement with the Trust  
7 Funds for the payment of those delinquent benefits and ancillary costs, which amounted to  
8 \$8,754.16.

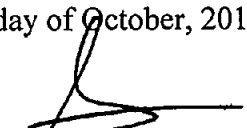
9 6. Pursuant to the Settlement Agreement, Veterans was required to make monthly  
10 payments. Veterans made two payments in August 2015 totaling \$685.00, but has failed to make  
11 any further payment despite repeated demands by the Trust Funds and is currently in default.

12 7. As part of the settlement, Veterans agreed that, if it defaulted in its obligations  
13 under the Settlement Agreement, the Trust Funds could file the Confession and Stipulation to  
14 Entry of Judgment and Judgment signed by Mr. Washington on July 28, 2015. Because Veterans  
15 is now in default the Trust Funds are filing this Confession and Stipulation to Entry of Judgment  
16 and Judgment.

17 8. In the attached Confession of Judgment, the balance is stated as \$8,754.16.  
18 Because of Veterans' payments totaling \$685.00, the remaining balance, including interest, is now  
19 \$8,167.55 and the Confession of Judgment and Judgment should be amended to reflect this  
20 amount.

21 9. I declare under penalty of perjury under the laws of the United States that the  
22 foregoing is true and correct, and if called as a witness, I could and would competently testify  
23 thereto.

24 Executed at Las Vegas, Nevada on this 14<sup>th</sup> day of October, 2015.

25  
26   
27 \_\_\_\_\_  
28 Seth T. Floyd, Esq.

4270 SOUTH DECATUR BLVD.  
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MICHAEL A. URBAN  
NATHAN R. RING  
SEAN W. McDONALD  
PAUL D. COTSONIS  
SETH T. FLOYD

ADMITTED IN CA, NV & WA  
ADMITTED IN NV & WA  
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ADMITTED IN NV  
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# THE URBAN LAW FIRM

A PROFESSIONAL CORPORATION

FILE NO.: 520.0025

October 15, 2015

**Via Legal Wings**

United States District Court Clerk  
District of Nevada  
333 S. Las Vegas Blvd.  
Las Vegas, NV 89101

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COUNSEL/PARTIES OF RECORD	
OCT 15 2015	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

**Reference:** The Board of Trustees of the Construction Industry and Laborers Health and Welfare Trust, et al. v. Veterans Southwest Industries Inc. a/k/a Veterans Southwest Maintenance Settlement Agreement

**Subject:** Confession and Stipulation to Entry of Judgment  
in United States District Court, District of Nevada

Dear Clerk of the Court:

This firm represents The Board of Trustees of the Construction Industry and Laborers Health and Welfare Trust; The Board of Trustees of the Construction Industry and Laborers Joint Pension Trust; The Board of Trustees of the Construction Industry and Laborers Vacation Trust; The Board of Trustees Southern Nevada Laborers Local 872 Training Trust.

Please find enclosed the original Confession and Stipulation to Entry of Judgment and supporting Declaration, for filing. Please file stamp the additional copy provided so that our office may have record. Also enclosed, is check number 2674 in the amount of \$46.00 representing the filing fee for this request.

The parties are as follows:

1. Plaintiffs: The Board of Trustees of the Construction Industry and Laborers Health and Welfare Trust; The Board of Trustees of the Construction Industry and Laborers Joint Pension Trust; The Board of Trustees of the Construction Industry and Laborers Vacation Trust; The Board of Trustees Southern Nevada Laborers Local 872 Training Trust
  - a. Represented by The Urban Law Firm, 4270 S. Decatur Blvd. Suite A-9, Las Vegas, NV 89103. Attorney names are as follows:
    - i. Seth T. Floyd, NSB# 11959
    - ii. Michael A. Urban NSB# 3875

October 15, 2015

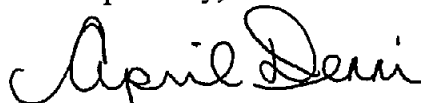
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2. Defendants:

- a. Veterans Southwest Industries Inc., a/k/a Veterans Southwest Maintenance, 3651 Lindell Road, Suite D-456  
Las Vegas, Nevada 89103

If you have any questions, please do not hesitate to contact me at (702) 968-8087.

Respectfully,

A handwritten signature in black ink that reads "April Denni". The signature is written in a cursive, flowing style.

April Denni  
Paralegal

Enclosures: As Stated